

**Declarations/reservations and objections thereto****Armenia, Republic of****ratified 22 May 2013**

Objection to the declaration of Azerbaijan received on 11 May 2016:

"1. The Government of the Republic of Armenia objects to the declaration made by the Republic of Azerbaijan on the occasion of its ratification of the Amendment to the Convention on the Physical Protection of Nuclear Material and considers it incompatible with the object and purpose of the Convention.

2. The Government of the Republic of Armenia firmly rejects all allegations contained in the declaration and states that the reservations of the Azerbaijani side have nothing to do with nuclear security related issues, but are entirely of political nature. Once again Azerbaijan resorted to highly destructive step of exploiting international fora for disseminating groundless and false accusations against Armenia in a sheer defiance to the purposes and objectives of the Convention and blatant disrespect to its member states. This irresponsible attitude is directed at shifting the international attention from the large-scale aggressive military actions unleashed by Azerbaijan against Nagorno-Karabakh and the gross violations of human rights and humanitarian law committed by Azerbaijan, including against the civilian population of Nagorno-Karabakh.

3. Given the Azerbaijani refusal to cooperate with Armenia, as was communicated through the declaration attached to its instrument of ratification, and taking into consideration the abovementioned, the Government of Armenia declares, that the provisions of the Convention on the Physical Protection of Nuclear Material and the Amendment to the Convention on the Physical Protection of Nuclear Material shall not be applied by the Republic of Armenia in respect of the Republic of Azerbaijan."

**Azerbaijan, Republic of****ratified 31 Mar 2016**

Upon ratification:

"1. The Republic of Azerbaijan declares that the provisions of the Convention on the Physical Protection of Nuclear Material and the Amendment to the Convention on the Physical Protection of Nuclear Material shall not be applied by the Republic of Azerbaijan in respect of the Republic of Armenia.

2. The Republic of Azerbaijan declares that it is unable to guarantee the implementation of the provisions of the Convention on the Physical Protection of Nuclear Material and the Amendment to the Convention on the Physical Protection of Nuclear Material in its territories occupied by the Republic of Armenia (the Nagorno-Karabakh region of the Republic of Azerbaijan and its seven districts surrounding that region), until the liberation of those territories from the occupation and complete elimination of the consequences of that occupation (the schematic map of the occupied territories of the Republic of Azerbaijan is enclosed).

3. The Republic of Azerbaijan reserves the right to amend or revoke at any time the provisions of Paragraph 1 and Paragraph 2 of the present Declaration, and other Parties shall be notified in writing of any such amendments or revocation."

**Belgium, Kingdom of****ratified 22 Jan 2013**

Upon ratification:

"Referring to Article 2A of the protocol to amend the Convention on the Physical Protection of Nuclear Material, the Belgian Government declares that it interprets the fundamental principles of physical protection of nuclear material and nuclear facilities contained in paragraph 3 of Article 2A as guidelines which the State Party must apply in implementing the obligations of paragraphs 1 and 2 of Article 2A.

Consequently, the Belgian Government considers that the fundamental principles of physical protection of nuclear material and nuclear facilities do not, in themselves, constitute legal obligations."

(Original: French)

**Canada****ratified 03 Dec 2013**

Upon ratification:

"The Government of Canada considers the application of Article 7(1)(k) of the Convention on the Physical Protection of Nuclear Material, as amended by the Amendment to the Convention on the Physical Protection of Nuclear Material, to be limited to acts committed in furthering a conspiracy of two or more persons to commit a specific criminal offence contemplated in paragraphs 1 (a) to (g) of Article 7 of the amended Convention."

(Original also in French)

Communication regarding acceptance by the State of Palestine received on 13 August:

"[...] the Permanent Mission of Canada wishes to underscore that Canada does not recognize "Palestine" as a State, as it does not meet the necessary criteria of a State under international law. Given that consent to be bound is limited to sovereign States, Canada would like to confirm that it cannot enter into treaty relations with "Palestine".

The Permanent Mission of Canada wishes to state that all present and future purported accessions to multilateral treaties, to which Canada is a Party, and for which you are the depositary, will not have any legal effect on Canada's treaty relations with respect to the "State of Palestine", as "Palestine" is not able to accede to those multilateral treaties.""

**China, People's Republic of****ratified 14 Sep 2009**

Declaration received on 6 April 2018:

"[...] the reservation which the People's Republic of China had made about the dispute settlement as stipulated in Paragraph 2, Article 17 of the Convention shall apply to the Macao Special Administrative Region of the People's Republic of China."

**Eritrea, State of****accepted 13 Mar 2020**

Upon acceptance:

"The Government of the State of Eritrea does not consider itself bound by the provisions of Articles 7 and 11 and does not consider this convention as a basis for extradition or mutual legal assistance. Requests for extradition or mutual legal assistance will be assessed on individual case basis or on the basis of existing bilateral agreements, if any.

Pursuant to paragraph 3 of Article 17, the Government of the State of Eritrea does not consider itself bound by paragraph 2 of Article 17."

Communication received on 2 March 2021:

"The State of Eritrea intends to be bound by the obligations contained in article 7 and all crimes enumerated in the article are punishable pursuant to the Transitional Penal Code of Eritrea. It considers the reservations as mainly a reservation to article 11 and intends to use the option permitted under article 11(2) of the Convention not to recognize the Convention in respect to offences referred to in article 7 as a legal basis of extradition or mutual legal assistance."

**EURATOM****acceded 16 Dec 2015**

Upon accession:

"Declaration by the European Atomic Energy Community according to the provisions of Articles 18(4) and 17(3) of the Convention:

"The following States are presently members of the European Atomic Energy Community: the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland.

The Community declares that Articles 8 to 13 and Article 14(2) and (3) of the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities do not apply to it.

Furthermore, pursuant to Article 17(3) of the Convention, the Community also declares that since only States may be parties in cases before the International Court of Justice, the Community is only bound by the arbitration procedure referred to in Article 17(2)."

Communication by the European Union received on 31 January 2020:

"1. On 29 March 2017, the Government of the United Kingdom of Great Britain and Northern Ireland (the "United Kingdom") notified the European Council of the United Kingdom's intention to withdraw from the European Union ("Union") and the European Atomic Energy Community ("Euratom") in accordance with Article 50 of the Treaty on European Union. On 22 March 2019, the European Council decided in agreement with the United Kingdom to extend the period provided for in Article 50(3) of the Treaty on European Union until 12 April 2019. On 10 April 2019, the European Council decided in agreement with the United Kingdom to extend the period provided for in Article 50(3) of the Treaty on European Union until 31 October 2019. On 29 October 2019, the European Council decided in agreement with the United Kingdom to extend the period provided for in Article 50(3) of the Treaty on European Union until 31 January 2020. The United Kingdom will therefore cease to be a Member State of the European Union and of Euratom on 1 February 2020.

2. On 24 January 2020, the Union and Euratom, and the United Kingdom, in accordance with Article 50, paragraph 2, of the Treaty on European Union, signed an Agreement setting out the arrangements for the withdrawal of the United Kingdom from the Union and Euratom ("Withdrawal Agreement")-1. The Withdrawal Agreement will enter into force on 1 February 2020, subject to its prior ratification by the United Kingdom and conclusion by the Union and Euratom.

3. In order to address the specific situation of the withdrawal of the United Kingdom from the Union and Euratom, the Withdrawal Agreement provides for a time-limited transition period during which, save certain very limited exceptions, Union law shall be applicable to and in the United Kingdom and that any reference to Member States in Union law, including as implemented and applied by Member States, shall be understood as including the United Kingdom.

4. The Union and Euratom, and the United Kingdom have agreed that Union law within the meaning of the Withdrawal Agreement encompasses international agreements concluded by the Union (or Euratom), or by Member States acting on behalf of the Union (or Euratom), or by the Union (or Euratom) and its Member States jointly.

5. Subject to timely ratification and conclusion of the Withdrawal Agreement, the Union and Euratom notify parties to the international agreements referred to in point 4 above that, during the transition period, the United Kingdom is treated as a Member State of the Union and of Euratom for the purposes of these international agreements."

<sup>1</sup>-The text of the Withdrawal Agreement can be consulted in the Official Journal of the European Union of 12 November 2019, C 384 I, p. 1.

**Israel, State of****ratified 16 Mar 2012**

Upon ratification:

"In accordance with Article 17 paragraph 3, the Government of the State of Israel reiterates that it does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of Article 17 of the Convention."

Communication regarding acceptance by the State of Palestine received on 13 August 2018:

"Palestine" does not satisfy the criteria for statehood under international law and lacks the legal capacity to join the aforesaid Convention and Amendment, both under general international law and the terms of bilateral Israeli-Palestinian agreements.

The Government of Israel does not recognize "Palestine" as a State, and wishes to place on record, for the sake of clarity, its position that it does not consider "Palestine" a party to the Convention and the Amendment, and regards the Palestinian request as being without legal validity and without effect upon Israel's treaty relations under the Convention and the Amendment."

**Myanmar, Republic of the Union of****ratified 06 Dec 2016**

Upon ratification:

"In accordance with paragraph 3 of Article 17 of the Convention, the Republic of the Union of Myanmar declares that it does not consider itself bound by paragraph 2 of Article 17."

**Pakistan, Islamic Republic of****ratified 24 Mar 2016**

Upon ratification:

[Reservation:] "Pursuant to paragraph 3 of Article 17 of the Convention on the Physical Protection of Nuclear Materials, as amended, the Islamic Republic of Pakistan reiterates that it does not consider itself bound by either of the dispute settlement procedures provided for in paragraph 2 of Article 17 of the Convention."

[Declarations:] "(1) The Convention does not provide a basis for any action by a State or international organization, which i) is not specifically provided for in the provisions of the Convention, and ii) which impinges upon the sovereign rights and interests of the Islamic Republic of Pakistan;

(2) Nothing in paragraph 4 of Article 2 of the Convention shall be construed as encouraging or condoning the threat or use of force in international relations which shall, in all circumstances, be strictly governed by the principles of international law and the purposes and principles of the Charter of the United Nations;

(3) Nothing in the Convention, and particularly the cooperation or the sharing of information pursuant to Article 5, shall be construed to further or achieve any political purpose;

(4) The term "international humanitarian law" refers to those legal instruments to which the Islamic Republic of Pakistan is already a party to, and nothing in the Convention shall be interpreted as giving a different status to the armed entities and groups other than the armed forces of a State as currently understood and applied in international law and thereby creating new obligations for the Islamic Republic of Pakistan;

(5) The term "armed conflict", as employed in the Convention, does not include law enforcement or counterterrorism operations; internal disturbances and tensions, such as riots, isolated and sporadic acts of violence through any means; and other acts of a similar nature;

(6) It does not consider Article 11 of the Convention to be the legal basis for extradition, with respect of the offences set forth therein, and it shall conduct all extraditions under the Convention in accordance with the provisions of the laws of the Islamic Republic of Pakistan, on the basis of treaties on extradition the Government of the Islamic Republic of Pakistan has entered into, and upon the principle of reciprocity."

**Singapore, Republic of****accepted 22 Oct 2014**

Upon acceptance:

[Reservation:] "(1) Pursuant to Article 17, paragraph 3, of the amended Convention, the Republic of Singapore declares that it does not consider itself bound by both of the dispute settlement procedures provided for in Article 17, paragraph 2, of the amended Convention."

[Declarations:] "(1) The Republic of Singapore understands Article 10 of the amended Convention to include the right of competent authorities to decide not to submit any particular case for prosecution before the judicial authorities if the alleged offender is dealt with under national security and preventive detention laws.

(2) The Republic of Singapore understands that the term 'armed conflict' in Article 2, paragraph 4, subparagraph (b), of the amended Convention does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.

(3) The Republic of Singapore understands that under Article 2, paragraph 4, subparagraph (b), the amended Convention does not apply to:

(a) the military forces of a state in the exercise of their official duties;

(b) civilians who direct or organise the official activities of military forces of a state; or

(c) civilians acting in support of the official activities of the military forces of a state, if the civilians are under the formal command, control, and responsibility of those forces."

**Syrian Arab Republic****ratified 05 Dec 2019**

Upon ratification:

"The Syrian Arab Republic's accession to this agreement does not signify in any way whatsoever recognition of Israel or involvement with it in any matter related to the provisions of this Convention. The Syrian Arab Republic has reservations regarding implementation of the provisions of paragraph 2 of article 17 of the Convention concerning the settlement of disputes."

(Original: Arabic)

**Turkey, Republic of****ratified 08 Jul 2015**

Upon ratification:

"It is the understanding of the Republic of Turkey that the term international humanitarian law in paragraphs (a) and (b) of article 2(4) of Convention on the Physical Protection of Nuclear Material, refers to the legal instruments to which Turkey is already party. The article should not be interpreted as giving a different status to the armed forces and groups other than the armed forces of a state as currently understood and applied in international law and thereby creating new obligations for Turkey."

**United States of America****ratified 31 Jul 2015**

Upon ratification:

[Reservation:] "Consistent with Article 17(3) of the Convention on the Physical Protection of Nuclear Material, the United States of America declares that it does not consider itself bound by Article 17(2) of the Convention on the Physical Protection of Nuclear Material with respect to disputes concerning the interpretation or application of the Amendment."

[Understandings:] "(1) The United States of America understands that the term "armed conflict" in Paragraph 5 of the Amendment (Article 2 of the Convention on the Physical Protection of Nuclear Material, as amended) does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.

(2) The United States of America understands that the term "international humanitarian law" in Paragraph 5 of the Amendment (Article 2 of the Convention on the Physical Protection of Nuclear Material, as amended) has the same substantive meaning as the law of war.

(3) The United States of America understands that, pursuant to Paragraph 5 of the Amendment (Article 2 of the Convention on the Physical Protection of Nuclear Material, as amended), the Convention on the Physical Protection of Nuclear Material, as amended, will not apply to: a) the military forces of a State, which are the armed forces of a State organized, trained, and equipped under its internal law for the primary purpose of national defense or security, in the exercise of their official duties; b) civilians who direct or organize the official activities of military forces of a State; or c) civilians acting in support of the official activities of the military forces of a State, if the civilians are under the formal command, control, and responsibility of those forces."

Communication regarding acceptance by the State of Palestine received on 13 August 2018:

"The Government of the United States of America does not believe the "State of Palestine" qualifies as a sovereign State and does not recognize it as such. Accession to the Convention is limited to sovereign States. Therefore, the Government of the United States of America believes that the "State of Palestine" is not qualified to accede to the Convention and its 2005 Amendment, and affirms that it will not consider itself to be in a treaty relationship with the "State of Palestine" under the Convention and its 2005 Amendment."